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ABSTRACT

In response to a congressional inquiry, the General Accounting Office reviewed the work of five state humanities councils: California, Florida, Idaho, Maryland, and Oregon. Out of about 700 projects funded by these state councils during fiscal years 1982 and 1983, ten were judged by the National Endowment for the Humanities (NEH) or state council officials to have raised concerns about advocacy, i.e., the act or process of defending a particular point of view, which is prohibited in these projects. Five projects which were reviewed are discussed. These include two projects dealing with the Soviet Union, one from Oregon and the other from Idaho, and three other projects. These were: a project on the electoral process and money from California; a project which sought to combine a humanities perspective with the discussion of social issues in Florida; and a project dealing with the moral and political issues associated with nuclear deterrence in Maryland. This report also contains detailed information about how the NEH and the state councils review grant applications and attempt to ensure that a balanced perspective exists, how the membership of state councils is selected, how questions of advocacy arose in the five projects described, and how they were resolved. (IS)

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REPORT BY THE U.S.

General Accounting Office

Advocacy In National Endowment For The Humanities' Projects Funded By Five State Councils

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In response to a congressional inquiry, GAO reviewed five state humanities councils--California, Florida, Idaho, Maryland, and Oregon. Out of about 700 projects funded by these state councils during fiscal years 1982 and 1983, 10 were judged by National Endowment for the Humanities or state council officials to have raised concerns or questions about advocacy--the act or process of defending a particular point of view. NEH policy prohibits advocacy in projects it funds. Questions of advocacy are most often associated with public policy projects, but the very nature of these projects makes it difficult to entirely eliminate such questions.

This report also contains information about how the National Endowment for the Humanities and state councils review grant applications, how the membership of state councils is selected, and how questions of advocacy arose in five specific projects.

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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-198218

The Honorable Steven Symms
United States Senate

The Honorable Denny Smith
House of Representatives

In response to your October 26, 1983, letter, we reviewed projects funded by the Association for the Humanities in Idaho (Idaho council), the Oregon Committee for the Humanities (Oregon council), and three other state humanities councils to develop information on whether federal funds were used to support projects in which there was advocacy--the act or process of defending a particular point of view. The National Endowment for the Humanities (NEH) or state council officials have judged that a few projects funded by five state councils have advocated a particular point of view. Questions of advocacy are most often associated with public policy projects. However, public policy projects are eligible for NEH funding if these projects consist of activities which relate the humanities to current conditions of national life. Because of the nature of public policy projects, it is difficult to eliminate entirely all questions of advocacy which may arise during these projects.

As agreed with your offices, in order to address your concerns about advocacy in projects, we reviewed several aspects of NEH's and the state councils' operations. Specifically, our objectives were to (1) research the legislative history and determine what statutory criteria exist for funding state councils; (2) review NEH's funding guidelines, regulations, and procedures; (3) review the funding guidelines and criteria used by the Idaho council, the Oregon council, and other selected state councils; (4) review projects in which the issue of advocacy was raised; and (5) ascertain how the membership of state councils is determined. In addition to Idaho and Oregon, we selected three other state programs for review to enhance our understanding of how state humanities councils operate. Appendix I fully describes the scope and methodology used in conducting this review.

NEH AWARDS FUNDS TO STATE COUNCILS WHICH REGRANT FUNDS FOR SPECIFIC PROJECTS

NEH was created as an independent agency by the National Foundation on the Arts and the Humanities Act of 1965 (79 Stat. 845; 20 U.S.C. 951 et seq.). NEH was established to support the

humanities.[1] NEH is directed by a Chairman who is advised on policies and procedures by the National Council on the Humanities (National Council), a board of 26 private citizens. The National Council also reviews applications for financial support and makes funding recommendations. The Chairman and the National Council are appointed by the President, subject to Senate confirmation. Each Council member serves a 6-year term and the Chairman serves a 4-year term. Members cannot be reappointed within the 2-year period following completion of their terms.

NEH supports research, education, and public activity in the humanities by providing financial assistance directly to persons or organizations for specific projects in the humanities and to state humanities councils which then grant funds to support humanities projects designed by individuals, organizations, institutions, and nonprofit groups. Appendix II describes the NEH process for awarding grants.

NEH established the first six state councils in 1971 with the interest and support of the Congress. The idea behind the experiment was based on two premises: (1) that adults who were not in school could be engaged in learning about the humanities and (2) that humanities scholars and scholarship could benefit from a dialogue with non-scholars on matters of concern to the public.

In 1976, Congress explicitly authorized the establishment of state councils and, as of August 1984, there were 53 councils including the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. The legislative history indicates that the Congress intended state councils to fund projects that (1) related the humanities to "current conditions of national life"; (2) fostered increased public understanding and appreciation of the humanities; and (3) reached the Nation's diverse public.

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[1]The National Foundation on the Arts and Humanities Act of 1965, as amended, states that the term "humanities" includes, but is not limited to, the study of the following: language, both modern and classical; linguistics; literature; history; jurisprudence; philosophy; archeology; comparative religion; ethics; the history, criticism, and theory of the arts; those aspects of the social sciences which have humanistic content and employ humanistic methods; and the study and application of the humanities to the human environment with particular attention to the relevance of the humanities to the current conditions of national life. 20 U.S.C. 952(a).

Funding for state programs is decentralized. Grants from NEH go to state councils composed of volunteer citizens in each state. Although the day-to-day operations of the state councils are directed by a small, nonvolunteer staff, program and funding decisions are made by the council members. Generally, each council has about 20 members and a membership policy designed to assure broad public representation and regular rotation of members and officers. Specific information regarding the membership requirements and practices is provided in appendix III.

The state councils act as small grant-making bodies in each state. They stimulate and respond to competitive proposals for locally conceived and executed projects in the humanities. State councils have wide discretion in funding individual projects. NEH reviews an overall plan for each council but does not routinely review individual projects, because the authorizing legislation restricts NEH's role. NEH is responsible for ensuring the state councils comply with established requirements but is prohibited from interfering in the selection of projects. Appendix II summarizes the basic characteristics of the grant-making processes used by the state councils we visited.

State councils have funded a wide variety of programs that used many formats and involved large numbers of individuals. Projects have been presented in a variety of settings, including city parks and Grange halls, and have been conducted in different languages, including many American Indian languages. State programs have engaged a large number of individuals and organizations in humanities programs. Grant activities have been sponsored by more than 1,200 libraries, 1,000 museums, 850 historical societies, and 2,000 colleges and universities. During fiscal years 1981 through 1983, state councils granted an average of about 3,500 awards, or about 66 per council, which generated over 29,000 activities and events. Grants to the state councils as well as grants awarded by the state councils can have two components: outright funds and gifts-and-matching funds. Outright funds provide support for a percentage of total project costs and require some level of cost-sharing (cash and/or in-kind) by the recipient. Recipients of gifts-and-matching awards are required to raise funds, up to an approved ceiling which are then matched with federal funds. Additional information on state council activities and grants is provided in appendix IV.

ADVOCACY QUESTIONS HAVE BEEN RAISED IN A FEW PROJECTS FUNDED BY THE STATE COUNCILS REVIEWED

NEH policy states that it does not fund projects designed to promote a particular political, ideological, religious, or partisan point of view. Furthermore, one of the NEH guidelines used to evaluate state councils specifically asks "To what degree do project activities provide for a balance of viewpoints, thereby avoiding advocacy or bias?" The issue of advo-

cacy is addressed in a variety of ways by the state councils. For example, the Oregon council's program guidelines state "We do not fund social or political action or projects that espouse a particular political opinion or belief." Two of the 13 funding restrictions established by the Idaho council address public policy concerns and balance. These restrictions state that the Idaho council cannot fund "projects that involve any direct action or the planning of direct action to resolve issues of public policy or public concern," or "projects that influence an audience toward any single position or present a one-sided treatment of an issue of public policy or public concern." During our review, the Florida council, while discouraging advocacy, did not have a written policy prohibiting advocacy. Subsequently, the council adopted new guidelines which specifically state that the council does not support ". . . partisan social or political advocacy or action."

Compared to the total number of projects funded by the state councils reviewed, only a few have been judged by NEH or the state councils to have advocated one point of view. Out of about 700 projects funded by the five state councils during fiscal years 1982 and 1983, we identified 10 which raised concerns or questions about advocacy. Of the 10 projects, 9 were funded during fiscal year 1983 and 1 was funded in fiscal year 1982, with some of the project activities held in fiscal year 1983. Additionally, we had previously reviewed another project that was funded in 1977. This project was reviewed by our Office of the General Counsel, and we reported that the project had not violated the policy prohibiting advocacy (B-198218, April 24, 1980). We also identified 25 projects for which funding was denied by the five state councils from June 1981 to March 1984 because of perceived advocacy. Nationwide statistical profile reports maintained by NEH from fiscal year 1981 to fiscal year 1983 indicate that the state councils have cited advocacy as the reason for rejecting applications about 3 percent of the time.

While the number of projects in which advocacy questions have been raised has been relatively small, the message from these and other projects can reach many people. According to reports from the Division of State Programs, more than 25 million Americans participated in approximately 3,800 project activities in 1983. According to evaluation reports for the five projects we analyzed in which questions or concerns about advocacy were raised, nearly 4,100 individuals were in attendance. The audience sizes ranged from about 100 people at the project funded by the California council, to over 2,200 for the Oregon council's project.

ADVOCACY QUESTIONS HAVE DEVELOPED PRIMARILY IN PUBLIC POLICY PROJECTS

Those projects in which advocacy questions or concerns have been raised have most often been projects which focused on

current issues--public policy projects. In addition to having topics of current importance as the focus, public policy projects sponsored by the state councils are designed for general audiences rather than for scholarly research or formal in-school education, and provide opportunities for participation and discussion. Specifically, NEH guidelines on projects for general audiences state:

--Members of the public are encouraged to engage in critical thinking and interpretation through project activities. The project promotes disciplined dialogue among project participants.

--Scholars who participate in public humanities projects value interaction with non-scholar members of the public.

--Project topics and formats engage the interest of participants.

Of the 11 projects reviewed in which advocacy concerns were raised, including the one project reviewed by our Office of the General Counsel, 10 focused on public policy issues. Of the 25 projects which the five councils denied funding because of perceived advocacy, 23 focused on public policy issues. Public policy projects focus on topics such as euthanasia, homosexuality, nuclear war, and abortion.

Although public policy projects have been associated with questions about advocacy, NEH's authorizing legislation allows the funding of projects which relate the humanities to current conditions of national life. The public policy projects sponsored by the state councils provide NEH with a mechanism for fulfilling this objective. State council and NEH officials believe that about 20-25 percent of the state councils' projects focus on public policy issues. Most projects funded directly by NEH are designed for humanities scholars, educators, and others engaged professionally in the humanities. Other than the state councils, one NEH division, the General Programs Division, has regularly funded projects which are designed for the public and address current issues.

PROJECT SUMMARIES

The following two summaries of projects funded by the Oregon and Idaho councils--which you specifically asked us to review--provide illustrations of projects where concerns about advocacy were raised. Appendix V contains additional summaries of three projects funded by the California, Florida, and Maryland councils which also raised concerns about advocacy.

PROJECT 1: "What About The Russians?"

The Oregon council funded two projects entitled "What About the Russians?" The first of these projects raised most of the

advocacy concerns. The Oregon council awarded over $5,000 to sponsor a 5-day symposium, from April 25 to 29, 1983, held in two cities, Albany and Corvallis. According to the application, presentations on religion, art, literature, history, and social/political thought in Russia would be included. In addition to the symposium, the organizers were sponsoring events for the preceding and following weekends. The Oregon council was not asked to fund these events.

The council decision to fund the 5-day symposium was made on February 11, 1983. Before that decision, NEH was contacted by a group asking that the NEH Chairman intercede to prevent the "unlawful use of federal tax money for use in political action." This group opposed the disarmament views of the project's sponsors and believed the project would advocate disarmament. In addition to the letter to NEH, the group prepared a statement which appeared in the local newspaper on the subject.

Four days following the council's decision to fund the project, the original sponsor decided not to accept the grant because of the allegations of advocacy. Shortly thereafter, however, one of the co-sponsors requested to be designated as the primary sponsor. The Oregon council, in consultation with NEH to assure compliance with procedural and policy requirements, approved the change. Furthermore, during this time petitions against the project were circulated, articles were printed in the local newspapers opposing and supporting the project, and four of the 23 organizations that originally submitted letters of support, withdrew their formal endorsement.

Concerns regarding whether the project would advocate disarmament continued to be expressed. In March 1983 NEH received a congressional inquiry about the project and in April 1983 an NEH official observed the funded segment of the project.

In the opinion of the NEH official in attendance, the portions of the program funded by the Oregon council were not in violation of program policy directives against advocacy. However, because of the nature of the surrounding events which were not funded by the council, concerns were raised. The NEH official's report states " . . . it is clear . . . that the political activism preceded the interest in the humanities, and the entire package . . . is designed to persuade towards the . . . views of the conference organizers."

In response to the NEH concern, the Oregon council explained its position in a letter to the NEH Chairman. The council stated it was aware of the possible bias in the weekend activities not funded by the council but decided to fund the 5-day project because of the background and qualifications of the speakers, the perspectives these speakers would be likely to espouse, the letters of support from the community, and because the proposal made an effort to include equal time for opposing

views. The letter further stated that to some extent the council approved the project because of its proximity to the political discussions in an effort to enlarge public understanding through the humanities events. Additionally, the council noted its efforts to ensure the project's humanities focus and independence by stipulating that political literature could not be distributed at any of the events funded by the grant and by requiring that the program's brochure include a disclaimer that funding for the humanities events did not reflect endorsement of any views presented in the adjacent weekend programs. As a final comment, the council noted that although inquiries and negative comments were made prior to the program, critical comments were not voiced by these individuals following the program. Subsequently, however, the Oregon council evaluated the practice of sponsoring projects that are segments of larger non-humanities events and decided to discourage this practice.

PROJECT 2: "Russian Awareness Week"

Russian Awareness Week was funded by the Idaho council. Project sponsors were awarded a grant to conduct a project consisting of a week of events aimed at increasing public awareness and understanding of Russia and Russians. The major portions of the program involved an examination of the values, attitudes, lifestyle, and cultural makeup of the Soviet people and the discussion of current Soviet/American relations from a historical perspective. The project consisted of three components: presentations in schools, community based events, and a 1-day conference entitled "What About the Russians?"

On June 24, 1983, the Idaho council decided to award over $11,000 to conduct the program. On September 1, 1983, Korean Air Lines flight 007 was shot down by the Soviet Union. This incident significantly contributed to the public interest in the program. Articles appeared in local papers expressing concern about the project and calling for its cancellation. Concern that the program was inappropriate was first expressed to NEH at the end of September. NEH responded that "given the potentially partisan character of the subject matter, we have inquired to determine whether the program in fact had the requisite balance and detachment." Also at about this time, NEH was notified of concerns about the appropriateness of the project from congressional sources and, in response, the state council provided details to NEH regarding the project's development and approval.

Program modifications and adjustments were made and approved prior to the conference. The program sponsors, with approval of the council, asked some of the speakers to specifically discuss the Korean Air Lines incident. Additionally, the keynote speaker, former Senator Frank Church, requested and was granted additional time to address the incident. Because of time constraints and protocol considerations, the opposing view-

point was given the following day instead of directly following the keynote speech.

The program was conducted from October 17 to 23, 1983, and an NEH official observed portions of the program. The resulting NEH evaluation stated that the " . . . thrust and timing of the conference as a whole seemed to be focused less on the humanities background than on current political issues." The report noted that while most of the presentations were "fine," the keynote speech " . . . had nothing of the humanities in it . . . it was strictly advocacy . . . no attempt at balance." A staff member and the Idaho council Chairman expressed the opinion that the keynote speech was not entirely within the humanities nor was it entirely non-partisan. Additionally, one of the program's organizers stated that the speech differed from the original intent and could have been considered a pro-peace speech. However, in a statement which appeared in a local paper, the council Chairman stressed that the speech was not the entire project. Various aspects of Soviet culture were explored during the course of the project.

Additional concern was expressed by NEH regarding the timing of the project in conjunction with a peace march which was held the day following the program. The official questioned whether the program had been timed to complement the march which was an international event, or whether the timing had been coincidental. According to one of the project organizers, the timing was a matter of scheduling the facilities. The program was not planned around the march. Furthermore, the organizer stated, the group did not intend to advocate any viewpoint but to educate the community.

TOTAL ELIMINATION OF ADVOCACY IN PUBLIC POLICY PROJECTS IS DIFFICULT

Because of the elements that constitute public policy projects and the difficulty in controlling some aspects of these projects, elimination of questions about advocacy is unlikely. Public policy projects address current topics; affect a broad spectrum of people; reach a diverse public; and, according to NEH orientation materials for new state council members, "contain lively debates and stimulating discourse." Both the Oregon and Idaho projects raised advocacy questions primarily because they focused on current issues--social and political thought in Russia, disarmament, current Soviet/American relations, or the Korean Air Lines incident.

Furthermore, the discussion and participation aspects of public policy projects are difficult to predict and therefore difficult to control. State council members and staff stated that it is impossible to know exactly what the participants will say or do. As one chairperson stated "If you give people the

floor, they will express their opinions." Another chairperson made the statement that " . . . even qualified humanists will express opinions." Considering these factors, it is difficult to predict all occasions when questions about advocacy may arise during some of these projects.

AGENCY COMMENTS AND OUR EVALUATION

We received written comments on this report from NEH and the state councils of California, Idaho, Maryland, and Oregon. A complete set of the comments are included in appendixes VI through X. The Florida council provided oral comments. All respondents were generally positive in their comments on our report.

A number of comments were intended to enhance the report's accuracy by providing more specific information or additional clarification. We have revised the report, where appropriate, to reflect these comments. For example, NEH commented on the statement in our draft report that the Congress intended state councils to be the principal vehicle for projects that relate the humanities to current conditions of national life. NEH stated that the draft report gave the impression that the Congress originally directed the state councils to focus on these type of projects and overlooked the fact that these projects have been funded by NEH as a whole and not just the state councils. We have amended this sentence on page 2 of our report by deleting the reference to the state councils as the principal vehicle for funding these type projects. The NEH comments also discuss the 1976 amendment to their legislation which allows the state councils to fund any type of humanities project. On page 5 our report acknowledges the various types of projects funded by state councils and explains that the majority of projects funded are not public policy projects.

NEH also commented that our report is too negative on the likelihood of eliminating advocacy. Their comments state that "the draft report's concluding paragraphs leave the reader with the unfortunate impression that advocacy is an inevitable and unavoidable by-product of public policy projects." We agree with NEH's acknowledgement that the elimination of advocacy is difficult, especially in public policy projects. We also believe that the elimination of advocacy is unlikely. However, this is not intended to imply that efforts to reduce the development of advocacy are unimportant or ineffective. NEH and the state councils demonstrated a dedication to prevent occurrences of advocacy, and as we state in the report, there have only been a few projects in which advocacy questions or concerns have been raised. Despite these efforts to limit the occurrences of advocacy, we believe that those factors that contribute to its development cannot always be controlled.

Another comment by NEH related to whether all unsuccessful grant applicants at the state level are provided with the reasons for rejection. NEH is of the opinion that all unsuccessful applicants receive information explaining the reasons for denial. We found this not to be the case in all five state councils we reviewed. Our work indicated that rejected applicants received varied levels of detail on the denial ranging from a form letter to explicit information that enabled the applicant to revise and improve its application. All five state councils inform unsuccessful applicants that additional information regarding the reasons for denial is available, as well as assistance to improve the application.

As arranged with your offices, we will send copies to interested parties and make copies available to others upon request.

W. J. Anderson

William J. Anderson
Director

SCOPE AND METHODOLOGY

We conducted our review at NEH headquarters in Washington, D.C., and at state council offices in San Francisco, Ca.; Baltimore, Md.; Boise, Id.; Portland, Or.; and Tampa, Fl. Additionally, we attended both a regional and national meeting of state council chairpersons at which we interviewed or held informal discussions with chairpersons and representatives of several other state councils.

We interviewed all of the NEH staff responsible for monitoring the state councils and reviewed the operations of five state councils. As agreed with your offices, additional state councils were chosen to provide a broader perspective than would have been provided by limiting the review to the Idaho and Oregon councils. After working closely with NEH staff to determine which councils would lend insight into the range of council operations, the California, Florida, and Maryland councils were added. Selection of these three councils provided opportunities to review (1) a council with a very large budget, (2) a council which had received NEH criticism for an unsatisfactory program, and (3) a council which, according to NEH staff, actively monitored some grants.

In the five state councils, we reviewed information documenting 11 projects which were judged by state council or NEH officials to have advocated a particular point of view. Nine of these projects were funded during fiscal year 1983, one was funded in fiscal year 1982 and the remaining project, which was reviewed by our Office of the General Counsel in 1980, was funded in 1977. We also reviewed information documenting 25 project proposals for which these state councils denied funding because of potential advocacy during the period from June 1981 to March 1984. Our work also included

- --analysis of the legislative history, authorizing legislation, and the policies and procedures of NEH and each of the five state councils visited;
- --reviews and analyses of budgetary and programmatic data;
- --examination of grant applications, correspondence, meeting minutes, membership records, and project files; and
- --review of studies and articles pertaining to state humanities councils.

Field work was conducted from January 1984 to July 1984. This review was performed in accordance with generally accepted government auditing standards.

NEH AND THE FIVE STATE COUNCILS' GRANT REVIEW PROCESSES

NEH employs a multitiered grant review process for all applications. While the steps in the process for funding the state councils are the same as for other NEH grants, there are some differences. These include the nature of the grant application and the specific requirements set forth in the legislation authorizing NEH to fund state programs. The grant review processes used by the five state councils we studied were also multitiered and similar to the NEH processes.

NEH's grant review process

A number of steps are involved in the review of NEH applications. In many NEH programs, applicants submit preliminary applications. NEH staff review these drafts and advise prospective applicants of their projects' eligibility and competitiveness. NEH staff also review final applications to assure completeness and eligibility.

The next step in the process is a review of the project's merit relative to other applications by outside panelists. NEH staff select panelists familiar with the scholarly or professional field of the applications under consideration or with the types of institutions, organizations, or groups involved in the proposed project. Panels are composed of at least four members and are convened for 1 or 2 days. During panel meetings, a senior NEH staff member provides information and clarifies NEH policies and procedures. The panel evaluations of the projects are forwarded to the National Council.

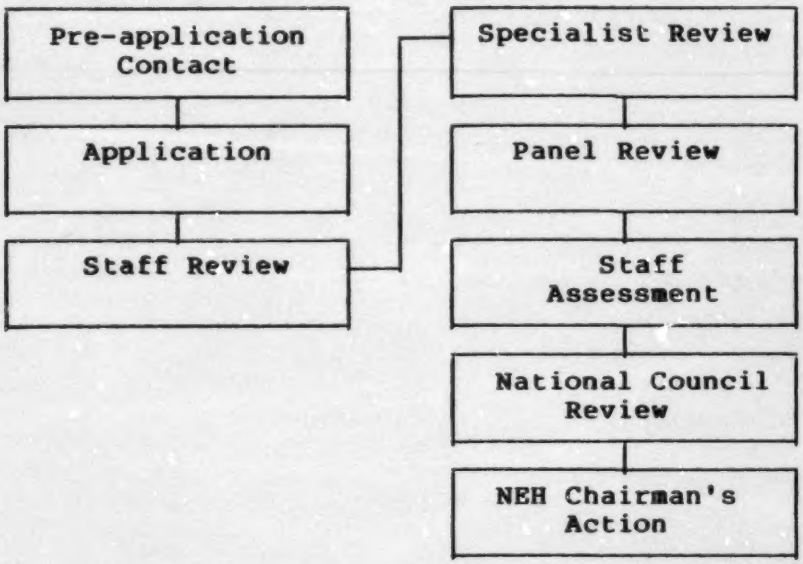
In addition to the panel review, outside specialists review some applications to assess the merits of the projects. The review by outside specialists may occur before, at the time of, or after the panel review. Outside specialists, like panelists, are chosen by the NEH staff on the basis of their expertise and serve on a voluntary basis. NEH staff, in some instances, provide the comments of outside specialists to the review panel.

The application review process continues with the staff assessment. NEH staff review the evaluations and comments of the panelists and outside specialists, evaluate the merit of the application, consider program guidelines and availability of funds, and make funding recommendations.

Following the staff assessment, the application is forwarded with the staff's recommendations and the evaluations and comments of the outside specialists and reviewers to the National Council. Applications are first reviewed by the appropriate National Council committee of which there are six--Education, State, Fellowships, Research and Preservation, General, and Challenge. Committees of the National Council bring their recommendations before the full National Council

which then forwards funding recommendations to the Chairman. Final funding decisions, as prescribed by law, are made by the Chairman. The following chart summarizes the process.

THE NEH GRANT REVIEW PROCESS



Distinct aspects of funding the state councils

While in many respects the process for funding state councils is similar to the process for awarding most other NEH grants, the general nature of state council applications and the lack of competition are distinct features. The state council's application for funding, the biennial proposal, is submitted every 2 years and contains an assessment of the past program and a plan for the upcoming 2-year period. While applications to most other NEH divisions explicitly describe a proposed project, the state councils' applications describe general programs. For example, one application was submitted to the Research Division to study the causes of divorce based on examination of the conditions of marriage in 18th century England. In contrast, one Oregon council proposal described project formats, such as audience participation programs and projects involving the use of a humanities consultant. This contrast results from the fact that NEH does not deal with the ultimate grantee, but rather the state council performs analysis of specific regrant proposals.

The authorizing legislation allows NEH to fund humanities programming in each state; however, the absence of competitors is the major reason the state funding process is not competitive. NEH's reauthorizing legislation of 1976 mandated, among other things, that NEH devote at least 20 percent of its outright program funds to state programs, and during each of the 8 years since the mandate, NEH has obligated more than 20 percent

of these funds. The legislation further requires that each state which has a plan approved by the Chairman be allotted at least $200,000 unless total funds are insufficient, in which case funds will be allotted in equal amounts. When available funds exceed the amount required to allot the $200,000 base grants, the excess funds are divided as follows: 44 percent equally divided among all councils, 22 percent allotted based on state population, and 34 percent distributed at the Chairman's discretion. Since 1976 NEH generally awarded each state council more than $200,000 each year except during a council's planning stage. NEH, however, is not required to support the currently existing council. New groups can apply and, if their compliance plan, which addresses accountability measures, is approved by the Chairman and if their applications for the coming two-year period is judged to be better, can receive funds from NEH. NEH is prohibited from awarding funds to more than one group in each state through its Division of State Programs. Since 1976 only one proposal from each state has been submitted.

The state councils' grant review processes

Although the application review and award processes varied among the state councils visited, each state's process involves several basic steps and each has similarities to the NEH funding process. Council staff conduct the initial phases of the application review process. They respond to inquiries and evaluate draft applications. Prospective grantees make inquiries regarding ideas for projects and those with ideas judged to be worthwhile and acceptable by the staff are encouraged to apply. Council staff often assist applicants in transforming their ideas into humanities projects, and in some cases take an active role in writing or composing the application. Draft applications, which are encouraged, are also reviewed by the staff. Staff members determine whether the project meets program guidelines, evaluate the projects' competitiveness, provide comments on the draft applications, and recommend improvements.

Council members review the final applications. Various methods are used by the state councils to conduct in-depth reviews of grant applications. According to NEH staff, some councils require all members to read every application. On other councils, like the Idaho and California councils, grant review committees or reader systems have been established. In Idaho readers initiate the discussions when the application is considered for funding and other members are encouraged to participate on the basis of their review of each application. In California, members serve on the grant review committee on a rotating basis. These members prepare summaries of the applications which are used to reach funding decisions.

All of the councils reviewed use a set of general guidelines which address humanities content, value for audience (and scholars), qualification of staff and consultants, adequacy and feasibility of plan, and appropriateness of budget. Council

members assess the application against these general guidelines and specific criteria and goals for each program. Council members also consider assessments made by the staff. The staff assessments vary in form and content but usually the project plan, the humanities aspects, and the budget are evaluated.

Without regard to the method used to perform the initial in-depth review of the application, all applications are reviewed and discussed by the full council during grant award meetings. Councils usually hold three or four meetings per year, some of which are open to the public. In an effort to fund all worthwhile projects, the councils generally do not establish absolute funding limits at each meeting, but remain aware of available funds.

State chairpersons, unlike the NEH Chairman, do not make the final decisions. Final decisions are made by a majority vote of the full council, and in two of the states reviewed, Maryland and Oregon, the chairperson does not vote unless there is a tie. Funding decisions include not only the options to fund or reject, but also intermediate choices. Decisions can be made to fund with budget changes, fund with conditions, or reject with the option to resubmit.

Applicants are notified of council decisions as soon as possible following grant award meetings. Successful applicants receive award packets, which usually contain the grant agreement or contract and other materials that provide information on the council's operations and the terms of the grant agreement. Unsuccessful applicants have the opportunity to receive information regarding the reasons for denial. In Idaho, all unsuccessful applicants receive a written explanation of the council's decision.

APPENDIX III

STATE HUMANITIES COUNCILS' MEMBERSHIP, GUIDELINES, AND REQUIREMENTS

Under the 1976 and 1980 amendments to the NEH authorizing legislation, state humanities councils are required to adhere to certain membership and nomination procedures. NEH has promulgated certain guidelines and has expressed preferences as to how the state councils should meet these requirements. Specifically, NEH requires that councils be balanced and broadly representative.

NEH HAS ESTABLISHED SPECIFIC PROCEDURES FOR STATE COUNCILS' COMPLIANCE WITH MEMBERSHIP AND NOMINATION REQUIREMENTS

According to the 1976 amendments to the NEH's authorizing legislation, state councils must submit to NEH for approval a compliance plan showing that the council has satisfied several accountability requirements. The requirements include general procedures for the states to follow regarding council membership and nomination processes. Among other requirements, the compliance plan of a state council must establish (1) procedures for appointment of gubernatorial nominees, (2) a membership policy designed to assure broad public representation, (3) an open nomination process, and (4) a process for regular membership rotation. Pursuant to these legislative requirements, NEH has stated certain preferences and has established specific means for compliance.

Compliance plan membership and nomination requirements

The NEH legislation requires each council to file a compliance plan establishing "a membership policy which is designed to assure broad public representation." NEH's interpretation of broad representation resulted in a recommendation of a minimum number of 20 council members, including gubernatorial appointments. NEH has stipulated that a smaller council may be justifiable in unusual circumstances and should be explained in the plan. NEH has further stated that plans provide that approximately half of the council members be "public members" including a variety of individuals from business; labor; agriculture; the professions (i.e., doctors, lawyers, and journalists); minority groups; and civic organizations. The other half should be professionals in the humanities--scholars, administrators from colleges and universities, and professional writers and editors in the humanities.

The act also requires that each state council's compliance plan provide for the appointment of four council members by the governor, as long as these appointments do not comprise more than 20 percent of the total membership. Before 1980, only two

gubernatorial appointments were required. However, in 1980 the Congress decided that the involvement of state governments needed to be expanded. Pursuant to these concerns, NEH allowed a council with 20 or more members to either maintain that council's present size, with the governor's additional appointments filling current vacancies, or to expand the membership to accommodate the additional appointments. A council with a membership of 19 or fewer was requested to expand or adjust its membership as necessary, to accommodate at least one additional member beyond the two appointments previously made.

The compliance plan must also provide "a nomination process which assures opportunities for nomination to membership from various groups within the State . . . and from a variety of segments of the population of such State." NEH requires that the councils have procedures which, at a minimum, include written solicitation at least annually of nominations for membership. Solicitations are required to be directed to appropriate organizations and institutions within the state. Written solicitation normally includes notices in the council's newsletter. Additional written solicitation is recommended if substantial numbers of nominations are not received from all appropriate groups. The precise procedures used for consideration of all nominees and for election to membership must be described in the plan.

Finally, the compliance plan must provide "for a membership rotation process which assures the regular rotation of the membership and officers" of each council. NEH believes that this requirement ensures a routine and continuous infusion of new people to the council as well as needed continuity and stability. NEH prefers a maximum 4-year term with at least 1 year between re-election to another term for any individual. However, NEH will also accept two 3-year terms of service, resulting in a maximum period of service of 6 years. Any terms longer than this will be approved by NEH only in extraordinary circumstances. Officers should serve no longer than a maximum of 2 consecutive years in the same office. Although NEH approves the length of terms, it does not exercise any authority over individuals selected to serve.

Recently, concerns about the Idaho council's membership rotation practices were brought to NEH's attention by most of the council members who expressed the opinion to NEH that the 2-year terms were insufficient to provide them opportunity to effectively aid in managing the council. As a result of these concerns, NEH recommended that the Idaho council extend its terms for members from 2 years, once renewable, to 3 or 4 years and for officers from 1 to 2 years. Idaho has lengthened its members' term to 4 years. The Oregon council continues to have a 1-year term for officers and 4-year terms for members.

State councils reviewed generally adhere to membership requirements

Generally, the five state councils we visited were adhering to NEH membership guidelines and recommendations. All of the councils were in compliance with the requirement that gubernatorial appointments comprise no more than 20 percent of the total membership. For example, the Oregon council has 4 gubernatorial appointees out of a total of 21 members.

Four of five councils also were in compliance with the requirement that the membership policy assures "broad public representation." NEH has recommended that councils have a minimum number of 20 members as one of the means to achieve broad representation. Approval must be obtained from NEH if a council wishes to have fewer than 20 members. According to the Idaho council's most recent proposal (1983-85), the council currently has 16 members--13 elected and 3 gubernatorial appointees. However, the Idaho compliance plan submitted to and approved by NEH indicated 19 members--16 elected and 3 gubernatorial appointees. During our review, the Idaho council had not obtained NEH approval for its council size. Subsequently, NEH approved Idaho's new compliance plan requiring the council to have 18 members.

STATE COUNCILS REVIEWED ARE MAKING FURTHER EFFORTS TO ACHIEVE BROAD REPRESENTATION IN THEIR MEMBERSHIPS

In addition to complying with NEH required membership and nomination procedures, the state councils we reviewed have expanded these procedures to try to ensure greater accountability. Expanded efforts followed by the state councils include sensitivity to geographic representation, and other factors including male/female balance, and minority and ethnic representation.

State humanities councils consider geographic distribution

All of the state councils we reviewed--Idaho, Oregon, California, Maryland, and Florida--were concerned with the geographic distribution of their memberships. Each council attempts to ensure diversity in its membership by choosing members from different areas of their states. For example, the Idaho council has established a requirement that a certain number of members come from each of three regions of the state--North, Southwest, and Southeast Idaho. Similarly, the Florida council has sought representatives from specific geographic areas, and the Oregon council uses geographic distribution as one of their criteria for selecting members.

Representation of females, minorities, and ethnic groups is considered

All of the state councils we reviewed were aware of the need for female, minority, and/or ethnic representation. For example, the Idaho council has established a requirement that an attempt be made "to approximate a numerical equality between men and women and to include representation from Idaho's ethnic communities . . . ." The Oregon council stipulates that membership should include a balance between men and women and "adequate minority representation." The California council requires that membership constitute "an appropriate representation of women and ethnic minorities." A June 1984 membership breakdown for the California council shows that, of a total of 20 members, there are 10 men and 10 women. It also shows that there are 15 Caucasians, 2 Blacks, 2 Hispanics, and 1 Asian member. While not exact, the California Council's membership is a very close approximation to these ethnic groups' representation in California's population as a whole, according to 1980 census reports.

NOMINATION AND MEMBERSHIP SELECTION PROCEDURES VARY AMONG THE STATE COUNCILS

State councils utilize different methods of solicitation of nominees for membership. Calls for membership are issued in newsletters, newspapers, and the mass media. Standing members' involvement in sponsoring nominees varies. In all of the states reviewed, nominating or membership committees are responsible for evaluating prospective nominees and recommending final candidates. New members are selected by the full council during the annual meeting.

State councils use different methods of solicitation

In addition to written solicitation in the councils' newsletters (which NEH views as a minimum), four of the five councils we reviewed employ other methods of announcing a call for membership. For example, the Maryland council solicits nominations through advertisements in newspapers, press releases to various institutions and organizations, public service announcements on public radio, letters from the Chairperson to appropriate state institutions and organizations, and self- or second-party nominations. The Idaho council solicits candidates from organizations on their mailing list and will contact scholars whose names appear on program agendas of funded projects. Idaho will also contact previously unsuccessful nominees to inquire about their interest in being considered again. In addition to using its newsletter to solicit nominations, the Oregon

council's Grant Application Guidelines and Program Report contain requests for nominations.[1]

The California Council generally relied upon an annual announcement in its newsletter to solicit nominations for new members. In 1983 a special nomination form was mailed to the 8,700 organizations and individuals who receive its newsletter, and 225 nominations were received. The Florida council's May 1984 compliance plan states that "written solicitation of nominations is made annually throughout the state . . . . If sufficient nominations are not received from all appropriate groups, additional written requests for nominees are made." During the course of our review, the Florida council primarily used its newsletter to announce calls for membership. Although the council's newsletter was sent to 10,000 organizations and academicians statewide, the staff informed us that a relatively small number of nominations were received during the last call for membership. According to the staff, this was attributable to the transient nature of Florida's population and the large number of senior citizens, which result in fewer volunteers from the general public. NEH recommends that additional written solicitation be undertaken if substantial numbers of nominations are not received from different groups. The Florida council, however, did not employ additional written solicitation.

Nominations by standing members occur infrequently

Although current standing members are permitted to nominate candidates, this was not often done by members of the councils reviewed. Based on a review of records from past membership nomination cycles, usually nominees were either self-nominated or nominated by a second party. One exception to this practice is the Florida council. All nominees to the Florida council must be sponsored by or meet with a council member or the Executive Director. Information about the candidate is then communicated to the nominating committee.

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[1]The Oregon council's Grant Application Guidelines explain the composition, purpose, and work of the council and provide a step-by-step procedure for submitting proposals. The guidelines are published biennially and are made available to all requestors.

The Program Report contains a description of grants and activities, methods of application for grants, expenditures, membership, and methods of nomination. The report is made available to everyone on the council's mailing list, including the Governor and other state officials, and to educational, cultural, civic, business, labor, and public interest organizations.

APPENDIX III

Nominating committees aid in membership selection

Nominating committees are responsible for evaluating candidates for membership and recommending nominees to the full council for their review and consideration. Each state council has its own specific procedures and requirements; however, the general procedures are similar for the state councils reviewed.

According to NEH staff responsible for oversight of all state councils, the procedures followed by the Oregon council's nominating committee are typical of state councils' procedures in general. After the applications for membership are received, a nominating committee of the Oregon council reviews them and develops a list of selected candidates according to relevant criteria such as equal balance of public members and humanities scholars, geographic distribution, adequate minority representation, and balance of men and women. The list of selected candidates is then forwarded to council members prior to the annual meeting for their consideration. Nominations are decided upon by majority vote of the full council.

The state councils have different ways of handling vacancies before the expiration of a member's term. The Idaho council has filled vacancies from rosters of past unsuccessful qualified candidates. Similarly, the Oregon council may at any regularly scheduled meeting choose a successor from a pool of previous nominees to serve out an unexpired term. The California council, on the other hand, usually leaves vacancies unfilled until the next nomination cycle.

NEH GRANTS TO STATE HUMANITIES COUNCILS FISCAL YEAR 1981 - FISCAL YEAR 1984

	FY 1981	FY 1982	FY 1983	FY 1984
Outright Funds				
All States				
Lowest	$ 219,000	$ 29,950	$201,000	$201,000
Average	437,181	374,380	367,354	367,208
Highest	1,103,183	764,900	768,945[a]	639,000
California	$1,103,183	$764,900	$755,609	$639,000
Florida	485,533	471,800	450,700	389,000
Idaho	333,134	300,199	297,795	305,000
Maryland	370,000	360,833	341,000	352,000
Oregon	349,000	310,000	390,925[b]	329,000
Gifts-and-Matching Funds[c]				
All States				
Lowest	$ 1,500	$ 1,100	$ 1,515	$ 3,000
Average	56,916	68,412	75,132	86,047
Highest	299,452	201,293	404,900	434,837
California	$299,452	$196,152	$167,511	$175,485
Florida	25,000	0	38,458	30,219
Idaho	41,275	54,450	96,396	70,540
Maryland	100,000	0	165,554	149,984
Oregon	12,213	1,110	21,329	57,663
Total				
All States				
Lowest	$ 221,000	$ 29,950	$201,000	$201,000
Average	491,908	422,139	436,816	453,255
Highest	1,402,635	961,052	981,942	889,000
California	$1,402,635	$961,052	$923,120	$814,485
Florida	510,533	471,800	489,158	419,219
Idaho	374,409	354,649	394,191	375,540
Maryland	470,000	360,833	506,554	501,984
Oregon	361,213	311,110	412,254	386,663

[a]This figure includes two projects treated as one for administrative purposes: $644,000 for the regular operating grant and $124,945 for a special project.

[b]This figure includes two projects treated as one for administrative purposes: $317,000 for the regular operating grant and $73,925 for a special project.

[c]These figures represent the gifts-and-matching funds applied to projects funded during the respective fiscal year. All councils do not receive a gifts-and-matching award each year.

STATE HUMANITIES COUNCIL STATISTICAL PROFILE - NATIONWIDE

	FY 1981	FY 1982	FY 1983	FY 1984[a]
Applications				
Applications received	5,239	4,792	5,327	3,924
Applications approved	3,330	3,186	3,761	1,282
Percent of total	64	66	71	67
Outright Grant Size				
Lowest	$ 30	$ 10	$ 10	$ 50
Median	1,701	1,605	1,500	1,500
Highest	89,074	75,000	75,000	60,000

[a]Complete data for FY 1984 was not available as of 12/12/84.

APPENDIX V

SUMMARIES OF PROJECTS

This appendix provides information about projects funded by the California, Florida, and Maryland state councils which, in the judgment of NEH or state council officials, raised questions or concerns about advocacy. These summaries provide a chronology of events related to the projects and describe the basis for the concerns about advocacy.

"Money, Parties and the Electoral Process"

The California Council for the Humanities (California council) funded the project "Money, Parties and the Electoral Process." The application stated the sponsors proposed to convene a group of leaders from the humanities and others to discuss, propose, and publish recommendations on improving the California political process. The aim of the project was to strengthen the understanding of democratic value structures central to our form of representative government. Initially the California council decided the project had merit but also had deficiencies and suggested the sponsor revise the application and resubmit it for later funding consideration. Four points were listed as needing revision or elaboration: (1) increased involvement of the humanists, (2) indication of how a non-advocacy format and balance of perspectives would be insured, (3) development of plans for involvement of diverse constituencies and for wide dissemination of conference results, and (4) adjustment of the budget. The sponsors resubmitted the application and addressed each of the points. The sponsors' reply to the council's concern about balance stated that participants were selected partly because of their viewpoints, and provided details on the participants backgrounds, areas of expertise, perspectives on the issues, and the roles they would play in the program. The sponsors also noted that the program included persons who advocated major change as well as those who sought de-regulation.

On May 13, 1983, the California council decided to award the sponsors a grant of about $11,000 to conduct the conference and publish a report. In October 1983, shortly before the conference, a staff member noted a change in the project's sponsor which had not been approved by the council. The staff member indicated that the change could compromise the council's stance of non-advocacy.

The conference was held October 8, 1983, with a staff member from the California council in attendance. In the

opinion of the staff member, the conference bore little resemblance to the proposal and furthermore, the humanists listed as participants in response to the resubmission offer did not participate. Clarification from the sponsors was sought. In response the project director explained the terms of the agreement were not fully understood. Regarding the nonparticipation of the humanists, the sponsor stated the date ultimately chosen for the conference was inconvenient for a number of the original participants. The sponsor said that the humanities were addressed and efforts were made to maintain balance in the presentations. However, the sponsor pledged to include an even greater humanistic perspective in the report and to include disclaimers and cautionary notes in the publication to avoid any confusion caused by the presentation that could be construed as advocating a particular view point.

The final report, published in the spring of 1984, was reviewed by a California council staff member who concluded that the portion of the grant which paid for the publication had somewhat balanced a conference that "had little humanities analysis and much practical focus." While the council was concerned about advocacy during the project's development, the council judged the program deficient primarily because of its inadequate humanities content.

"The Governor's Challenge Program"

The Governor's Challenge Program was a special program designed and funded by the Florida Endowment for the Humanities (Florida council). The program was implemented by the Florida council through multiple regrant sponsors and was developed to elicit financial support from the state government to increase available funds for humanities programs. Selected Floridians were invited by Florida's Governor to regional conferences and a final statewide conference to discuss the state's most important and challenging social policy issues. Participants in the conferences read from a humanities reader and discussed the implications of the readings for the problem they were to address. Humanities scholars were assigned to each small discussion group to provide a humanities focus. The deliberations were intended to lead to specific proposals and the recommendation of a solution for implementation.

Based on the review of the Florida council's 1984-1986 biennial proposal, NEH reviewers, panelists, and Division of State Programs staff expressed concerns about the Governor's Challenge Programs on crime control, which took place in early 1983, and growth management, which took place in late 1983. They judged these programs to be "primarily agendas for social change, rather than programs in the humanities." NEH objected to the use of the humanities to advocate solutions to public policy issues and believed that reaching a consensus on public policy issues was not a humanities activity. NEH also felt that

the Florida council had allocated too much of its total funding for programs of its own design, rather than to the traditional regrant program. The Florida council awarded $75,950 and $96,459, respectively, for the Challenge Programs on crime control and growth management.

As a result of NEH concerns about this program and other special initiatives, the Florida council received a 1-year conditional grant in August 1983 with the proviso that only administrative funds would be awarded initially by NEH, with the remainder awarded after certain conditions had been met. In March 1984, having been satisfied that changes in program design and operations had been made, NEH released the remaining program development and regrant funds to the Florida council.

The Florida council admitted that the Challenge Programs were not always fully successful, especially in terms of centering on the humanities. Because of the difficulty with ensuring a humanities focus and NEH concerns about using the humanities to solve public policy problems, the council decided that the Challenge Program be continued only if the state legislature appropriated funds; NEH funds would not be used in the future.

"Nuclear Deterrence: Moral and Political Issues"

A project entitled "Nuclear Deterrence: Moral and Political Issues" was submitted for funding consideration to the Maryland Committee for the Humanities (Maryland council). During the project, a workshop from April 7 to 9, 1983, philosophers, ethicists, historians, political scientists, and experts on arms control attended to present and comment on papers or participate in panel discussions. According to the application, the goal of the project was to explore the relevant and moral issues related to nuclear deterrence and to achieve a deeper understanding about these issues. The sponsor stated that while the goal of the project was not to debate political and strategic questions, nor to achieve a consensus on what the policies should be, these issues could not be discussed only in the abstract. Therefore, two sessions "devoted to current controversies" were included in the project.

On November 6, 1982, the Maryland council decided not to fund the project but requested resubmission and stipulated several conditions. In summary the conditions stipulated by the Maryland council were: (1) balance of opinions must be assured; (2) vitae with detailed background information must be supplied; (3) complete information--who will speak, their exact topics, and point of view--must be provided; (4) other representatives should be included; (5) details of publicity should be given and; (6) space rental costs cannot be charged to Maryland council funds. The sponsor resubmitted the proposal and responded to the council's conditions on December 10, 1982. On January 25, 1983, the Maryland council awarded $3,700 in outright funds

and made a gifts-and-matching award offer of $3,500 to support the project.

During a telephone conversation in March 1983, council staff members learned of changes in the project from the sponsor and informed the sponsor to write the council regarding these changes. In response to this telephone conversation, both the sponsor and the council wrote letters to each other. The letter from the sponsor, dated March 31, 1983, described the final program for the project. According to the sponsor, some of the speakers were not able to participate but replacements were obtained. In the letter to the sponsor, also dated March 31, 1983, the Maryland council stated that all changes in the program must be approved in writing. Additionally, the letter stated funds will not be released until these conditions have been met.

The sponsors expressed displeasure with the council's interference with the project and expressed the opinion that since the project had been approved, they were "entitled to receive . . . the . . . funds awarded us." Furthermore, the sponsor stated "I also want to make it clear that my March 31 letter is not a request for permission of any sort." The council forwarded another letter to the sponsor stating the issue is one of compliance with contract conditions which stipulate that all changes in the project as funded must be approved in writing by the council Chairman or Executive Director. In response, the sponsor wrote a letter to the council expressing the opinion that the contract requires that the sponsor complete the project as outlined in the proposal. The sponsor's letter further stated that "The number of sessions, the formats of the sessions, the order of the sessions and the general positions of the speakers on the issues at hand are all in the end, exactly as outlined in the beginning--the program as outlined has not changed. Therefore, there are no changes for which the Chairman's approval could be requested." The sponsor found it incredible that the council would attempt to exercise a name-by-name veto over the participants and stated that such approval would be unconstitutional and "seriously invasive of academic freedom." The Chairman of the Maryland council wrote to the sponsor and stressed that the policy requiring approval of project changes was a longstanding one for which no exceptions have been made. The sponsor was invited to contact NEH if there were further questions regarding the propriety of the policy.

The council chairman approved the list of new participants and the project was held April 7 to 9, 1983. One member of the Maryland council attended the project and prepared an evaluation report. The council member stated reasonable efforts were made to conform to the council's requirements and recommendations and while a few reservations were noted, the formal requirements for a balanced program were met. The council member noted that while the changes made in the program did not affect its balance, substitutions in other projects might produce unacceptable

changes. Additionally the council member stated "This is a problem that can arise in many projects in the interval between the approval of the project and the actual, final structure and conduct of the program. It is clearly a problem that requires serious consideration."

APPENDIX VI

NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20506

THE CHAIRMAN

March 14, 1985

Mr. William J. Anderson
Director, General Government Division
U.S. General Accounting Office
Room 3866
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Anderson:

Thank you for giving me an opportunity to read and respond to the GAO draft report Information Concerning Advocacy in National Endowment for the Humanities' Projects Funded by Five State Councils.

The report seems to me and my staff to be generally quite accurate. We have noted a few statements we think are incorrect, misleading, or in our view are in need of additional comment or clarification. A list of suggested corrections is enclosed.

If you have any questions concerning this matter, please contact Bruce Carnes, Director of the Office of Planning and Budget. His phone number is 786-0428.

Sincerely,

John Agresto
Acting Chairman

Enclosure

[GAO Note: Unbracketed page numbers throughout this letter refer to the draft report. Page numbers in brackets refer to the final report.]

Comments from the National Endowment for the Humanities on the GAO draft report "Information Concerning Advocacy in National Endowment for the Humanities Projects Funded by Five State Councils"

Page 1, 1:13-16 [1:14-16]

The draft report states: "Because of the nature of public policy projects, it is difficult to eliminate entirely all questions of advocacy which may arise during these projects."

"Difficult," but perhaps not impossible. In any event, the effort to minimize such projects goes on. The following sentence should probably be added: "Nevertheless, both the Endowment and the state committees agree that public funding of ideological, partisan, or political advocacy projects is illegitimate, and that continued efforts must be made to prevent their occurrence."

Page 2, paragraph 4

The draft report states: "The legislative history expressly indicates that the Congress intended state councils to be the principal vehicle for projects that ... related the humanities to 'current conditions of national life.'"

This statement is incorrect and misleading. It gives the erroneous impression that the Congress originally directed the state councils to focus on public policy issues, and ignores the fact that since 1976 the councils have been directly encouraged by the Congress to fund a variety of program types.

In 1970, the Congress amended the definition of the humanities in the NFAH Act by adding the phrase "with particular attention to the relevance of the humanities to the current conditions of national life." This definition applied and still applies to the Endowment as a whole, not to any particular program. As of 1970, the state program had neither been formally established by NEH nor mandated by the Congress.

In the early years of the state program, 1972-1976, the Endowment stipulated that all grants made by state councils must relate to issues of public policy. Although the requirement met with Congressional approval, it was not congressionally mandated or requested. By 1976 it had become clear to all that the emphasis on public policy issues was overly restrictive. Consequently, the Congress amended the NFAH Act in 1976 by stating explicitly that state councils could make grants for any type of humanities project authorized for NEH in Section 7(c), without regard to whether the project addressed issues of public policy.

While we have taken steps to prevent the funding of political advocacy, both in the state program and in other Endowment programs, our efforts are complicated by the presence in the legislation of

the "current conditions of national life" phrase. This phrase, appended to a definition that otherwise consists of a list of humanities disciplines, strikes us as unnecessary. Further, it impedes our ability to judge applications on the basis of their worth as humanities projects, and not on their relevance or topicality of the moment.

Page 4, 1:17-19 [1:12-16]

The draft report states: "The Florida council discourages advocacy but does not have a written policy which prohibits advocacy."

At its Board meeting October 11-12, 1984, the Florida Endowment for the Humanities adopted new guidelines which specifically state: "FEH does not support...partisan social or political advocacy or action."

Page 4, 2:3-4

The draft report states: "Out of about 700 projects funded..."

It is not clear what "700" refers to. Is it the total number of projects funded by the five state councils, or a sample of projects surveyed by GAO?

Page 5, 2:1-2 [2:1-3]

The draft report states: "Of the 11 projects reviewed in which advocacy concerns were raised, 10 focused on public policy issues."

It is not clear what "11" refers to, since the number "10" was used on the previous page, paragraph 2.

Page 9 [Pages 8 and 9]

The draft report's concluding paragraphs leave the reader with the unfortunate impression that advocacy is an inevitable and unavoidable by-product of public policy projects. We think the following should be added at the end to keep the matter clear:

Nonetheless, though eliminating advocacy is difficult, especially in public policy projects, continued efforts should be made to assure that advocacy does not occur. Policies such as those adopted by the Oregon, Florida, and other committees should help forestall similar occurrences in the future. NEH is urged to continue to see to it that the state committees do not support projects advocating political positions.

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Page 10, 2nd paragraph, last two sentences [Page 1, Appendix 1]

The order of the states should correspond to the order of the three descriptions in the last sentence. Florida corresponds to #3 and should be listed third. Maryland corresponds to #2 and should be listed second.

Page 11, 3:2-3 [Page 2, Appendix II, 3:2-6]

The draft report states: "NEH staff select the panelists from a pool of volunteers."

Panelists are not selected from any list or "pool." They are invited individually to participate on the basis of their experience, knowledge, and sound judgment.

Page 11, 4:6-8 [Page 2, Appendix II, 4:6-7]

The draft report states: "NEH staff provide the comments of outside specialists..."

This is incorrect. It should read: "NEH staff in some instances provide the comments of outside specialists to the review panel. The NEH staff review the evaluations...and prepare staff comments."

Page 12, 1:6-7 [Page 2, Appendix II, 6:4-7]

The draft report states: "Applications are first reviewed by the appropriate National Council committee of which there are five..."

This is incorrect. There are six committees: Education, State, Fellowships, Research and Preservation, General, and Challenge.

Page 13, 2:19-20 [Page 4, Appendix II, 1:12-18]

The draft report states: "New groups can apply and, if their applications are judged to be better, can receive funds from NEH."

It would be more accurate to say: "New groups can apply and, if their compliance plan (accountability requirements of the statute) is approved by the chairman and their application for the coming two-year period is judged to be better, they can receive funds from NEH. NEH is prohibited from awarding funds to more than one group in each state through its Division of State Programs. Since 1976, only one proposal from each state has been submitted."

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Page 14, 4:4-5 [Page 5, Appendix II, 2:4-5]

The draft report states: "Councils usually hold three or four meetings per year, all of which are open to the public."

This is incorrect. Not all council meetings are open to the public; it varies from state to state.

Page 14, 5:2 [Page 5, Appendix II, 3:2]

In line 2, the word "alone" should be struck.

Page 14, 6:6-7 [Page 5, Appendix II, 6:6-7]

The draft report states: "Unsuccessful applicants have the opportunity to receive information regarding the reasons for denial."

This is misleading. We suggest: "All unsuccessful applicants are provided with the reasons for rejection by the state councils."

Page 20, first paragraph [Page 10, Appendix III, 1:5-21]

In the Compliance Plan filed by the Florida Endowment for the Humanities on May 25, 1984, the plan states: "Written solicitation of nominations is made annually throughout the state, including virtually all of the major cultural, educational, governmental, minority groups, scholarly, civic, and public interest groups... If sufficient nominations are not received from all appropriate groups, additional written requests for nominees are made."

APPENDIX IV, Page 22 [Page 12]

Outright Funds

All States
Lowest for FY 1982 should match lowest for Totals: $29,950 (planning grant to the Virgin Islands).

Highest for FY 1983 $768,945. Footnote: This is the New York Council award. The figure includes two projects treated as one for administrative purposes: $644,000 for the regular operating grant and $124,945 for a special project.

Oregon FY 1983 $390,925. Footnote: As with the New York award, this amount includes two projects: $317,000 for the regular operating grant and $73,925 for a special project.

APPENDIX VI

Gifts-and-Matching Funds

All States
Lowest for all four years should be $0.

The footnote should note that these figures are for matching funds; they do not include gift money. Also, they are based on dollars raised by states during fiscal years rather than for particular offers.

Total

Lowest FY 1983 and FY 1984 should be $201,000 (Virgin Islands). This state has not yet raised gifts to use matching funds although they received a $5,000 offer in 1984. For consistency, the offer should not be included.

By State List for FY 1984

The totals represent outright plus matching offers rather than amount of matching funds actually used. For consistency these figures should be changed. Correct totals for 1984 are:

California	814,485
Florida	419,219
Idaho	375,540
Maryland	501,984
Oregon	386,663

CALIFORNIA COUNCIL FOR THE HUMANITIES

312 Sutter Street
Suite 601
San Francisco
CA 94108
415/391-1474

HUMANITIES

March 11, 1985

Mr. William J. Anderson
Director
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Anderson:

Thank you for sending portions of the GAO draft report Information Concerning Advocacy in National Endowment for the Humanities' Projects Funded by Five State Councils. Dr. Walter Capps, Chair of the CCH, has asked me to respond to the draft for the Council. I have listed my comments below:

Appendix III, page 20 [10]

The California Council was the only state whose method of solicitation was not mentioned. I would therefore add: "Though it generally has relied upon an annual announcement in its newletter to solicit nominations for new members, in 1983 the California Council mailed a special nomination form to the 8,700 organizations and individuals who receive its newsletter. As a result, the CCH received 225 nominations for four Council positions."

Appendix V, page 24 [14]

In the summary of the CCH project "Money, Parties and the Electoral Process," I would make the following emendations:

Add to the end of the first full paragraph: "The sponsors noted that the program included reformers who advocated major change as well as counter-reformers who sought de-regulation."

The next paragraph would read:

"On May 13, 1983, the California council decided to award the sponsors a grant of $10,995 to conduct the conference and publish a report. In October 1983, shortly before the conference, a staff member noted a change in the project sponsor which had not been approved by the council and indicated that the change could compromise the council's stance of non-advocacy."

And the last paragraph (p. 25) would read: [15]

"The final report, published in the spring of 1984, was reviewed by a California council staff member who concluded that the portion of the grant which paid for the publication had somewhat balanced a conference that "had little humanities analysis and much practical focus." While the council had been concerned about advocacy during the project's development, the council judged the project deficient primarily because of inadequate humanities content."

[GAO Note: Unbracketed page numbers throughout this letter refer to the draft report. Page numbers in brackets refer to the final report.]

APPENDIX VII

I believe these changes will render the report more complete and accurate. Should you have any questions, please do not hesitate to call me. The Council appreciates the opportunity to respond to the draft report.

Sincerely,

James Quay
Executive Director

ASSOCIATION FOR THE HUMANITIES IN IDAHO
Len B. Jordan Building, Room 300
650 West State Street
Boise, Idaho 83702
(208) 345-5346

March 14, 1985

Mr. William J. Anderson, Director
United States General Accounting Office
Room 3866
441 G. Street, N.W.
Washington, D.C. 20548

Dear Mr. Anderson:

This letter responds to a draft of a proposed report, Information Concerning Advocacy in National Endowment for the Humanities' Projects Funded by Five State Councils (Report). The Association for the Humanities in Idaho (Idaho) appreciates the opportunity to examine the draft, and requests that the following clarifications be made in the final Report.

Report, Page 7, Last Paragraph, Line 1: [Third Paragraph]

The Idaho award meeting was held, and the decision to fund "Russian Awareness Week" was made, on June 24, 1983, rather than on July 20, 1983.

Report, Page 8, Last Paragraph, Lines 5-8: [Pages 8 and 9]

Given the significance of the quotations, it would be appropriate for the chairpersons making the comments to be identified, if only by state.

Appendix II, Page 14, First Full Paragraph, Lines 4-8: [Page 4, Third Paragraph, Lines 4-9]

Although it is an accurate statement that in 1983, Idaho had a reader system, the readers' (designated as "first," "second," and "third") role was limited to initiating discussion. All council members were provided in advance of the award meeting with a complete copy of each proposal, were expected to read each proposal, and were encouraged to participate in each discussion preceding a vote to grant an award.

Appendix II, Page 14, Last Paragraph, Last 2 Lines: [Page 5]

The draft should be amended to make clear that in Idaho, all unsuccessful applicants receive a written explanation of the council's decision not to fund the proposed project.

[GAO Note: Unbracketed page numbers throughout this letter refer to the draft report. Page numbers in brackets refer to the final report.]

APPENDIX VIII

Appendix III, Page 17, First Full Paragraph: [Page 7, Last Paragraph]

> In 1983, Idaho council members were elected for a 2-year term, once renewable. As a matter of practice, individuals who desired to continue serving as a member of Idaho were re-elected at the conclusion of their first 2-year term. While the council members may well have expressed the opinion that a 2-year term was not long enough, it is misleading to suggest to readers of the Report that the members served no longer than a single 2-year term. Specifically, it would be appropriate to change in line 7 the words "2 years to 3 or 4 years" to "2 years, once renewable, to 3 or 4 years." Finally, Idaho requests that the Report note that less than a month after receiving the request, Idaho complied with NEH's recommendation and lengthened a member's term to 4 years.

Appendix III, Page 17, Last Paragraph, Line 7: [Page 8, Second Paragraph, Lines 11-14]

> It is accurate to state that in June, 1983, Idaho had not obtained permission from NEH to have a 16-member council. Idaho has since adopted a NEH-approved Compliance Plan. Therefore, it would be appropriate to note those facts.

Thank you for considering these comments. Please contact me if you have any questions about this letter. I look forward to reviewing the final draft when it has been prepared.

Yours very truly,

Jane E Ahrens

Jane E. Ahrens
Chairman

cc: Mr. Thomas H. McClanahan, Executive Director

APPENDIX IX

MARYLAND
HUMANITIES
COUNCIL

March 5, 1985

Mr. William J. Anderson
Director
U.S. General Accounting Office
Room 3866
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Anderson,

We have read the draft of a proposed report, "Information Concerning Advocacy in National Endowment for the Humanities' Projects Funded by Five State Councils."

We were pleased that you have observed that the Maryland Humanities Council's selection of members is based on publicly advertised and carefully defined policies and procedures; and that the Council employs rigorous procedures to ensure balance and quality in its programs.

Thank you for the opportunity to review the draft. Please let us know if you have any further questions.

Sincerely,

Naomi F. Collins

Dr. Naomi F. Collins
Executive Director

NFC/em

Enclosure: Returned draft report

516 N. Charles Street, Room 305
Baltimore, Maryland 21201
301-837-1938

APPENDIX X

OREGON COMMITTEE FOR THE HUMANITIES

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Willamette University
Salem

VICE-CHAIRMAN
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Roseburg

Sharlene Prohaska
Portland

Ramona Beta Rask
Klamath Falls

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Community College
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Peter Sage
Medford

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Oregon State University
Corvallis

John Williams
Cannon Beach

EXECUTIVE DIRECTOR
Richard Lewis

*Governor's Appointees

Room 410
418 SW Washington
Portland, OR 97204
503/241-0543

March 19, 1985

William J. Anderson, Director
U.S. General Accounting Office
Room 3866
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Anderson:

Thank you for the copy of the draft report concerning the issue of Advocacy in programs funded by the Oregon Committee for the Humanities and four other State Humanities Councils. We have reviewed it carefully and wish to make the following observations.

The comments on pages 6 and 7 regarding the project, "What About The Russians," are generally a good summary of what happened. We do, however, wish to make the following observations:

Page 6, paragraph 3. Regarding the decision to approve one of the project sponsors as the primary sponsor, after the initial primary sponsor withdrew, it would be well to point out that:

> this change was at the request of the co-sponsor; and this decision was based in part on consultation with the NEH Division of State Programs to assure that such a change in sponsor would be consistent with procedural and policy requirements there. The idea that our office consults with the Endowment in such matters to assure concurrence with NEH policies is an important one to indicate to Representative Smith and Senator Symms.

Page 6, paragraph 3. Regarding the statement that "some members of the community withdrew their support," it is well to point out that 23 organizations submitted letters of support with the proposal (a list is enclosed). Of these, only four subsequently withdrew their formal endorsement. And of these four, two nevertheless hosted presentations created by the project. It is important that Representative Smith and Senator Symms understand the exceptionally broad-based community support demonstrated in the proposal reviewed by the Committee.

Page 7, paragraph 1.* The statement that "council stated it was aware of the possible bias in the weekend activites not funded by the council" is somewhat misleading. The Committee determined on the basis of the proposal that although it was clear that the non-OCH funded weekend debate would be political in nature, it was also clear that every effort was being made to assure a balanced program. Indeed, in our letter to William Bennett (enclosed) we were at pains to point out that the Committee considered the issue of bias carefully and concluded that "the proposal made a clear effort to include forceful anti-Freeze and pro-Administration views and to give them equal time." Thus, it was not simply the "background and qualifications" of the speakers that the Committee considered, but specifically the perspectives they would be likely to espouse and the applicant's effort to assure a balance in those perspectives. I would want Representative Smith and Senator Symms to understand that, more than simply "being aware of the possible bias," the Committee took the issue of bias very seriously, even with regard to those presentations for which no OCH funds were requested.

Beyond these observations, we feel that the report does a good job of providing Representative Smith and Senator Symms the information needed to evaluate the work of the state councils.

Very truly yours,

William G. Berberet

WGB:rj

Enclosures

*[GAO Note: Page 6, paragraph 6 and page 7, paragraph 1 in the final report.]

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APPENDIX X

List of Organizations That Submitted Letters of Support in the Proposal for the "What About the Russians" project:

Corvallis City Hall
Oregon State University
First Presbyterian Church, Corvallis
Corvallis Chamber of Commerce
Crossroads International, Corvallis
Creative Arts Guild
Downtown Lions Club, Albany
Albany Chamber of Commerce
Corvallis Rotary Club
St. Mary's Church, Corvallis
League of Women Voters of Corvallis
United Presbyterian Church of Albany
Friends of Historic Albany
United Campus Ministry
Citizen Action for a Lasting Security, Corvallis
Corvallis Fellowship of Reconciliation
Oregon Nurses Association
Corvallis Chapter, National Organization of Women
Physicians for Social Responsibility, Benton County Chapter
St. Mary's Church, Albany
First Congregational Church, Corvallis
Unitarian Universlist Fellowship of Corvallis
Corvallis Chapter, American Field Service
Retired Senior Volunteer Program, Linn-Benton Community College

(015019)

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